

09/762230

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tadashi Fujii et al. : Attn: BOX PCT

Serial No. NEW : Docket No. 2001_0116A

Filed February 5, 2001 :

GENE PARTICIPATING IN THE PRODUCTION
OF HOMOGLUTAMIC ACID AND ITS USE

[Corresponding to PCT/JP99/04197

Filed August 4, 1999]

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. a full or partial English language translation submitted herewith,
 - b. a foreign patent office search report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:
5. A foreign patent office search report citing one or more of the references is enclosed along with the translation of the International Preliminary Examination Report.

Respectfully submitted,

Tadashi Fujii et al.

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FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY DOCKET NO. 2001_0116A		SERIAL NO. NEW 09/762230		
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			APPLICANT Tadashi Fujii et al.				
Date Submitted to PTO: February 5, 2001			FILING DATE February 5, 2001		GROUP		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AB	96/31616	10/96	WO			
	AC						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AD	T. Yagi et al., "L-Lysine: 2-Oxoglutarate 6-Aminotransferase", J. Biochem. (1980), Vol. 87, No. 5, pp. 1395-1402.					
	AE	T. Yagi et al., "A Novel Purification Procedure of L-Lysine 6-Aminotransferase from Flavobacterium Lutescence", Biochem., Biophys. Acta. (1980), Vol. 614, No. 1, pp. 63-70.					
	AF	J.R. Coque et al., "A Gene Encoding Lysine 6-Aminotransferase, Which Forms the β -Lactam Precursor α -Aminoadipic Acid, is Located in the Cluster of Cephamycin Biosynthetic Genes in Nocardia Lactamdurans", J. Bioteriol. (1991) , Vol. 173, No. 19, pp. 6258-6264.					
	AG	K. Madduri et al., "Cloning of Location of a Gene Governing Lysine ϵ -Aminotransferase, an Enzyme Initialing β -Lactum Biosysthesis in Streptomyces spp.", J. Bioteriol. (1991), Vol. 173, pp. 985-988.					
	AH	J.F. Martin et al., "Genes for β -Lactum Antibiotic Biosynthesis", Antonie van Leeuwenhoek (1995), Vol. 181, No. 2, pp. 181-200.					
	AI	A.L. Leitao et al., "Inducing Effect of Diamines on Transcription of the Cephamycin C Genes from the lat and pcbAB Promoters in Nocardia Lactamdurans" J. Bacteriol. (1999, April), Vol. 181, No. 8, pp. 2379-2384.					
	AJ	J.P. Francisco et al., "The pcd Gene Encoding Piperideine-6-Carboxylate dehydrogenase Involved in Biosynthesis of α -Aminoadipic Acid is Located in the Cephamycin Cluster of Streptomyces Clavuligerus", J. Bacteriol. (1998, Sept.) Vol. 180, No. 17, pp. 4753-4756.					
	AK	L.F. Juan et al., " Δ -1-Piperideine-6-carboxylate dehydrogenase, a new enzyme that forms α -aminoadipate in Streptomyces clavuligerus and other cephamycin c-producing actinomycetes", Biochem. J. (1997), Vol. 327, No. 1, pp. 59-64.					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.